

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR 1997-010394

08/26/2016

HONORABLE CHRISTOPHER COURY

CLERK OF THE COURT  
N. McKinney  
Deputy

STATE OF ARIZONA

SCOTT WAYNE BLAKE  
JOSEPH WILLIAM WATERS

v.

STEVE NOLTE (A) aka GEORGE FRANCE  
DOB: 6/3/1963      aka 2/14/1966

TYRONE MITCHELL

APO-SENTENCE IMPRISON-CCC  
APPEALS-CCC  
AZ DOC  
AZ DOC - INMATE TRUST ACCOUNTS  
DISPOSITION CLERK-CSC  
RFR  
VICTIM WITNESS DIV-AG-CCC

SENTENCE OF IMPRISONMENT

2:37 p.m.

Courtroom CCB 803

State's Attorney:	Scott Blake and Joseph Waters
Defendant's Attorney:	Tyrone Mitchell
Defendant:	Present

Court Reporter, Robin Bobbie, is present.

A record of the proceedings is also made digitally.

This is the time set for Sentencing Mitigation.

Count(s) 1, 2, 3, 4, 5, 6: The Defendant was found guilty after a trial by jury.

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IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 Fraudulent Schemes and Artifices

Class 2 Felony

A.R.S. § 13-2310, 13-301 through 13-306, 13-701, 13-702, 13-801

Date of Offense: between 1/4/1997 and 5/20/1997

Non Dangerous - Non Repetitive

OFFENSE: Count 2 Theft

Class 3 Felony

A.R.S. § 13-1801, 13-1802(A)(1)(3)(5), 13-301 through 13-306, 13-701, 13-702, 13-801

Date of Offense: on or about 5/2/1997

Non Dangerous - Non Repetitive

OFFENSE: Count 3 Theft

Class 2 Felony

A.R.S. § 13-1801, 13-1802(A)(1)(3)(5), 13-301 through 13-306, 13-701, 13-702, 13-702.02(B)(3), 13-801

Date of Offense: on or about 5/5/1997

Non Dangerous - Non Repetitive

OFFENSE: Count 4 Theft

Class 2 Felony

A.R.S. § 13-1801, 13-1802(A)(1)(3)(5), 13-301 through 13-306, 13-701, 13-702, 13-702.02(B)(4), 13-801

Date of Offense: on or about 5/9/1997

Non Dangerous - Non Repetitive

OFFENSE: Count 5 Theft

Class 2 Felony

A.R.S. § 13-1801, 13-1802(A)(1)(3)(5), 13-301 through 13-306, 13-701, 13-702, 13-702.02(B)(4), 13-801

Date of Offense: on or about 5/12/1997

Non Dangerous - Non Repetitive

OFFENSE: Count 6 Theft

Class 2 Felony

A.R.S. § 13-1801, 13-1802(A)(1)(3)(5), 13-301 through 13-306, 13-701, 13-702, 13-702.02(B)(4), 13-801

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Date of Offense: on or about 5/19/1997  
Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 9.25 year(s) from upon release in United States District Court of Massachusetts case number 1:13-CR-10247

Presentence Incarceration Credit: 312 day(s)

Aggravated

Sentence is concurrent with Counts 2, 3, 4, 5, 6 and consecutive to United States District Court of Massachusetts case number 1:13-CR-10247.

Count 2: 2.5 year(s) from upon release in United States District Court of Massachusetts case number 1:13-CR-10247

Presentence Incarceration Credit: 312 day(s)

Mitigated

Sentence is concurrent with Counts 1, 3, 4, 5, 6 and consecutive to United States District Court of Massachusetts case number 1:13-CR-10247.

Count 3: 5 year(s) from upon release in United States District Court of Massachusetts case number 1:13-CR-10247

Presentence Incarceration Credit: 312 day(s)

Presumptive

Sentence is concurrent with Counts 1, 2, 4, 5, 6 and consecutive to United States District Court of Massachusetts case number 1:13-CR-10247.

Count 4: 9.25 year(s) from upon release in United States District Court of Massachusetts case number 1:13-CR-10247

Presentence Incarceration Credit: 312 day(s)

Presumptive

Sentence is concurrent with Counts 1, 2, 3, 5, 6 and consecutive to United States District Court of Massachusetts case number 1:13-CR-10247.

Count 5: 9.25 year(s) from upon release in United States District Court of Massachusetts case number 1:13-CR-10247

Presentence Incarceration Credit: 312 day(s)

Presumptive

Sentence is concurrent with Counts 1, 2, 3, 4, 6 and consecutive to United States District Court of Massachusetts case number 1:13-CR-10247.

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Count 6: 9.25 year(s) from upon release in United States District Court of Massachusetts case number 1:13-CR-10247

Presentence Incarceration Credit: 312 day(s)

Presumptive

Sentence is concurrent with Counts 1, 2, 3, 4, 5 and consecutive to United States District Court of Massachusetts case number 1:13-CR-10247.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

RESTITUTION: Count 1 - \$571,649.17 to the following victim(s) in the following amounts:

Wells Fargo Bank (Business) \$571,649.17

Restitution shall be paid monthly in an amount to be determined by the Arizona Department of Corrections in compliance with A.R.S. § 31-230.

Count 1 - \$6,621.30 for Extradition Costs to the Maricopa County Sheriff's Office.

ASSESSMENTS:

Count 1: PROBATION ASSESSMENT: \$20.00.

Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforeponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Community Supervision: Count 1, 2, 3, 4, 5, 6 - Imposed pursuant to A.R.S. § 13-603(I).

IT IS ORDERED dismissing Counts 7-11 with prejudice.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence

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reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The Court is in receipt of Defendant's *pro per* Motion to Vacate Judgment.

For the reasons set forth on the record,

IT IS ORDERED denying Defendant's Motion to Vacate Judgment.

FILED: Defendant's *pro per* Motion to Vacate

3:27 p.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE CHRISTOPHER COURY  
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)